



General Assembly

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A/C.3/48/L.40
23 November 1993

ORIGINAL: ENGLISH

Forty-eighth session
THIRD COMMITTEE
Agenda item 172

NECESSITY OF ADOPTING EFFECTIVE MEASURES FOR THE PROMOTION
AND PROTECTION OF THE RIGHTS OF CHILDREN THROUGHOUT THE
WORLD WHO ARE VICTIMS OF ESPECIALLY DIFFICULT CIRCUMSTANCES,
INCLUDING ARMED CONFLICTS

Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize,
Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba,
Dominica, Dominican Republic, Ecuador, El Salvador, Grenada,
Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico,
Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis,
Saint Lucia, Saint Vincent and the Grenadines, Suriname,
Trinidad and Tobago, Uruguay and Venezuela: draft
resolution

Protection of children affected by armed conflicts

The General Assembly,

Reaffirming its resolution 44/25 of 20 November 1989, by which it adopted the Convention on the Rights of the Child, and its resolution 3318 (XXIX) of 14 December 1974, by which it proclaimed the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,

Recalling that the Geneva Conventions of 1949 1/ and the two Additional Protocols of 1977, 2/ as well as article 38 of aforementioned Convention on the Rights of the Child, accord children special protection and treatment,

1/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

2/ Ibid., vol. 1125, Nos. 17512 and 17513.

Recalling also the World Declaration on the Survival, Protection and Development of Children 3/ and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, 3/ which were adopted at the World Summit for Children, held in New York on 29 and 30 September 1990, and stressing the necessity to implement their provisions,

Taking note of the report of the Committee on the Rights of the Child, 4/ on its third session, held at Geneva from 11 to 29 January 1993, in particular its recommendation to the General Assembly that the Secretary-General should undertake a study of the ways and means of improving the protection of children from the adverse effects of armed conflicts,

Recalling resolution 1993/83 of the Commission on Human Rights of 10 March 1993, 5/

Mindful of the strong support of the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, for this proposed study, as stated in paragraph 50 of the Vienna Declaration and Programme of Action, 6/

Profoundly concerned about the grievous deterioration in the situation of children in many parts of the world as a result of armed conflicts, and convinced that immediate and concerted action is called for,

Convinced that children affected by armed conflicts require the special protection of the international community and that there is a need for all States to work towards the alleviation of their plight,

Recognizing the valuable work done by United Nations bodies and organizations, as well as other relevant intergovernmental and non-governmental organizations, in this field,

1. Expresses grave concern about the tragic situation of children in many parts of the world as a result of armed conflicts;
2. Calls upon States fully to respect the dispositions contained in the Geneva Conventions of 1949 and the two additional Protocols of 1977, as well as in the Convention on the Rights of the Child, which accord children affected by armed conflicts special protection and treatment;
3. Urges all Member States to continue seeking comprehensive improvement of this situation, taking appropriate and concrete measures to alleviate it;

3/ A/45/625, annex.

4/ CRC/C/16.

5/ Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

6/ A/CONF.157/23.

4. Requests bodies and organizations of the United Nations, as well as intergovernmental and non-governmental organizations, within the scope of their respective mandates, to cooperate in order to ensure a more effective action in addressing the problem of the children affected by armed conflicts;

5. Requests the Secretary-General to submit to the General Assembly at its forty-ninth session a report on those concrete measures, related to paragraphs 3 and 4 of the present resolution, which have been taken to alleviate the situation of children in armed conflict;

6. Takes note with appreciation of the report of the Committee on the Rights of the Child on its third session and the recommendations contained therein concerning the situation of children affected by armed conflict;

7. Requests the Secretary-General to appoint an expert, working in collaboration with the Centre of Human Rights and the United Nations Children's Fund to undertake a comprehensive study of this question, including the participation of children in armed conflict, as well as the relevance and adequacy of existing standards, and to make specific recommendations on ways and means of improving the protection of children in armed conflicts and on measures to ensure effective protection of these children and to promote their physical and psychological recovery and social reintegration, taking into account the recommendations by the World Conference on Human Rights and the Committee on the Rights of the Child;

8. Requests Member States and United Nations bodies and organizations, as well as other relevant intergovernmental and non-governmental organizations, including the Committee on the Rights of the Child, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees, the World Health Organization and the International Committee of the Red Cross to contribute to this study;

9. Requests the Secretary-General to submit a progress report on this study to the General Assembly at its forty-ninth session;

10. Invites the Commission on Human Rights to consider the study at its fifty-first session;

11. Decides to consider this question at its forty-ninth session under the item entitled "Necessity of adopting effective measures for the promotion and protection of the rights of children throughout the world who are victims of especially difficult circumstances, including armed conflicts".



General Assembly

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A/C.3/48/L.41
24 November 1993

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Forty-eighth session
THIRD COMMITTEE
Agenda item 111

ADVANCEMENT OF WOMEN

Angola, Bolivia, Costa Rica, Dominican Republic, Guatemala,
Kenya, Malawi, Nicaragua, Nigeria, Panama, Sudan and Togo: draft
resolution

Merger of the International Research and Training Institute for
the Advancement of Women and the United Nations Development
Fund for Women

The General Assembly,

Recalling its resolution 31/135 of 16 December 1976, in which it endorsed the establishment of an International Research and Training Institute for the Advancement of Women, and Economic and Social Council resolution 1998 (LX) of 12 May 1976 concerning the guidelines regarding the activities of the Institute,

Considering its resolution 43/101 of 8 December 1988, in which it reaffirmed the central role of the Commission on the Status of Women in matters related to the advancement of women and called upon the Commission to promote the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women 1/ up to the year 2000 based on the goals of the United Nations Decade for Women: Equality, Development and Peace and the sub-theme "Employment, health and education",

Recognizing the importance of adequate preparation for the Fourth World Conference on Women: Action for Equality, Development and Peace, to be held in 1995 under the guidance of the Conference secretariat and the role therein of the International Research and Training Institute for the Advancement of Women,

1/ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

Noting Economic and Social Council resolution 1993/17 of 27 July 1993, in which the Council requested the Institute to assist in the substantive preparations for the Fourth World Conference on Women, given its essential role in research, training and statistical expertise,

Noting also that the Institute is the only autonomous United Nations institution with headquarters in the Latin American and Caribbean region,

Emphasizing that the ultimate goal of restructuring should be to strengthen the programmes for the advancement of women and to enhance the efficiency of the work of these organizations, in function, structure and cost-effectiveness,

Recalling Economic and Social Council decision 1993/235 of 27 July 1993, in which the Council agreed to the recommendation of the Secretary-General to merge the International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women, subject to a proper analysis of the legal, financial and administrative implications of the merger, and subject to consideration by the General Assembly at its forty-eighth session,

Taking note of the report of the Secretary-General prepared pursuant to Economic and Social Council decision 1993/235, 2/

1. Affirms that the International Research and Training Institute for the Advancement of Women should retain its separate identity and autonomy to pursue independent research and related training activities important for the advancement of women;
2. Urges that the interaction between the International Research and Training Institute for the Advancement of Women, the United Nations Development Fund for Women, the Division for the Advancement of Women of the United Nations Secretariat, the Commission on the Status of Women and the Committee on the Elimination of Discrimination against Women be reviewed and rationalized within the context of ongoing efforts to revitalize the Economic and Social Council in pursuance of a stronger, more unified programme for the advancement of women;
3. Requests that there be included in the agenda of the thirty-eighth session of the Commission on the Status of Women an additional item entitled "Rationalization and strengthening of the structures for the advancement of women in the United Nations system" and that a report on the recommendations of the Commission on the Status of Women on this item be submitted to the Economic and Social Council and to the General Assembly at its forty-ninth session;
4. Requests the Secretary-General to submit to the General Assembly at its forty-ninth session a report from the Advisory Committee on Administrative and Budgetary Questions on the proposed merger of the International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women with regard to financial, staffing and budgetary implications in accordance with rule 153 of the rules of procedure of the General Assembly;

5. Requests that no further action be taken on the proposed merger of the Institute and the Fund until the matter of the larger structure has been reviewed by the General Assembly at its forty-ninth session.



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29 November 1993

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Forty-eighth session
THIRD COMMITTEE
Agenda item 111

ADVANCEMENT OF WOMEN

Angola, Bolivia, Costa Rica, Cuba, Dominican Republic,
Guatemala, Kenya, Malawi, Morocco, Namibia, Nicaragua,
Nigeria, Panama, Sudan and Togo: revised draft
resolution

Merger of the International Research and Training Institute for
the Advancement of Women and the United Nations Development
Fund for Women

The General Assembly,

Recalling its resolution 31/135 of 16 December 1976, in which it endorsed the establishment of an International Research and Training Institute for the Advancement of Women, and Economic and Social Council resolution 1998 (LX) of 12 May 1976 concerning the guidelines regarding the activities of the Institute,

Recalling also Economic and Social Council decision 1993/235 of 27 July 1993, in which the Council agreed to the recommendation of the Secretary-General to merge the International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women, subject to a proper analysis of the legal, financial and administrative implications of the merger, and subject to consideration by the General Assembly at its forty-eighth session,

Taking note of the report of the Secretary-General prepared pursuant to Economic and Social Council decision 1993/235, 1/

Emphasizing that the ultimate goal of restructuring should be to strengthen the programmes for the advancement of women and to enhance the efficiency of the work of these organizations, in function, structure and cost-effectiveness,

1/ A/48/591.

Recognizing the importance of adequate preparation for the Fourth World Conference on Women: Action for Equality, Development and Peace, to be held in 1995 under the guidance of the Conference secretariat and the role therein of the International Research and Training Institute for the Advancement of Women,

1. Affirms that both the International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women should retain their comparative advantages in activities relating to the advancement of women;

2. Urges that the interaction between the International Research and Training Institute for the Advancement of Women, the United Nations Development Fund for Women, the Division for the Advancement of Women of the United Nations Secretariat, the Commission on the Status of Women and the Committee on the Elimination of Discrimination against Women be reviewed and rationalized within the context of ongoing efforts to revitalize the Economic and Social Council in pursuance of a stronger, more unified programme for the advancement of women;

3. Requests the Secretary-General, through the Advisory Committee on Administrative and Budgetary Questions in accordance with rule 157 of the rules or procedure of the General Assembly, to submit to the Economic and Social Council at its 1994 substantive session a report on the proposed merger of the International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women and to include in it:

(a) A clear analysis of the financial benefits resulting from the merger;

(b) An estimate of the one-time non-recurrent costs of the merger, including for transitional measures, as well as an estimate of the recurrent costs of the merger;

(c) Details of the current staffing structure of the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women, together with details of the proposed structure, including reporting arrangements;

(d) Staffing implications;

(e) A report on consultations with the host Government of the International Research and Training Institute for the Advancement of Women;

4. Also requests the Secretary-General, in this context, to include in his report consideration of the potential duplication of training activities of the International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women;

5. Requests that the Economic and Social Council submit its final recommendations to the General Assembly at its forty-ninth session for its consideration and action before 31 December 1994.



General Assembly

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A/C.3/48/L.42
24 November 1993

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Forty-eighth session
THIRD COMMITTEE
Agenda item 114 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS,
INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING
THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS

Afghanistan, Algeria, Azerbaijan, Bosnia and Herzegovina,
Croatia, Cuba, Egypt, India, Kyrgyzstan, Morocco, Peru,
Sierra Leone, Sri Lanka, the former Yugoslav Republic of
Macedonia, Tunisia, Turkey and Turkmenistan:
draft resolution

Human rights and terrorism

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the
Universal Declaration of Human Rights 1/ and the International Covenants on
Human Rights, 2/

Bearing in mind that the most essential and basic human right is the right
to life,

Recalling the Vienna Declaration and Programme of Action adopted at the
World Conference on Human Rights, 3/

Reiterating that all Member States have an obligation to promote and
protect human rights and fundamental freedoms, and also that every individual
should strive to secure their universal and effective recognition and
observance,

1/ Resolution 217 A (III).

2/ See resolution 2200 A (XXI), annex.

3/ A/CONF.157/23.

Seriously concerned at the gross violations of human rights perpetrated by terrorist groups,

Profoundly deploring the increasing number of innocent persons, including women, children and elderly, killed, massacred and maimed by terrorists by indiscriminate and random acts of violence and terror, which cannot be justified under any circumstances,

Noting with great concern the growing connection between the terrorist groups and the illegal traffic of arms and drugs,

Mindful of the need to protect human rights of and guarantees for the individual in accordance with the relevant international human rights principles and instruments, particularly the right to life,

1. Unequivocally condemns all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomever committed, as activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening territorial integrity and security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and having adverse consequences on the economic and social development of States;
2. Calls upon States, in accordance with international standards of human rights, to take all necessary and effective measures to prevent, combat and eliminate terrorism;
3. Urges the international community to enhance cooperation in the fight against the threat of terrorism at national, regional and international levels;
4. Requests the Secretary-General to transmit the text of the present resolution to all Member States and to relevant specialized agencies and intergovernmental organizations;
5. Decides to consider this question at its forty-ninth session under the item entitled "Human rights questions".



General Assembly

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A/C.3/48/L.43
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ORIGINAL: ENGLISH

Forty-eighth session
THIRD COMMITTEE
Agenda item 114 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING
ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE
ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Algeria, Angola, Central African Republic, Cuba, Democratic
People's Republic of Korea, India, Iran (Islamic Republic
of), Iraq, Lao People's Democratic Republic, Mexico,
Namibia, Nigeria, Peru, Sierra Leone, Sudan, Uganda,
Viet Nam, Yemen, Zambia and Zimbabwe: draft resolution

Alternative approaches and ways and means within the
United Nations system for improving the effective
enjoyment of human rights and fundamental freedoms

The General Assembly,

Recalling that in the Charter of the United Nations the peoples of the United Nations declared their determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Recalling also the purposes and principles of the Charter to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Emphasizing the significance and validity of the Universal Declaration of Human Rights 1/ and of the International Covenants on Human Rights 2/ in promoting respect for and observance of human rights and fundamental freedoms,

1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

Recalling its resolution 32/130 of 16 December 1977, in which it decided that the approach to future work within the United Nations system with respect to human rights questions should take into account the concepts set forth in that resolution,

Noting with concern that many of the principles enunciated in resolution 32/130 have not yet been taken into consideration by the international community with all the necessary dynamism and objectivity,

Emphasizing the special importance of the purposes and principles proclaimed in the Declaration on the Right to Development, contained in the annex to its resolution 41/128 of 4 December 1986,

Reaffirming that the implementation of the right to development is an indispensable element in the process of creating the appropriate conditions for the full enjoyment and preservation of all human rights and fundamental liberties,

Taking into account the final documents of the Tenth Conference of Heads of State or Government of Non-Aligned Countries, held at Jakarta from 1 to 6 September 1992, 3/

Reiterating that the right to development is an inalienable human right and that equality of development opportunities is a prerogative both of nations and of individuals within nations,

Expressing its particular concern about the progressive worsening of living conditions in the developing world and the negative impact thereof on the full enjoyment of human rights, and especially about the very serious economic situation of the African continent and the disastrous effects of the heavy burden of the external debt for the peoples of Africa, Asia and Latin America,

Reiterating its profound conviction that all human rights and fundamental freedoms are indivisible and interdependent and that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil and political rights and of economic, social and cultural rights,

Deeply convinced that today more than ever, economic and social development and human rights are complementary elements leading to the same goal, that is, the maintenance of peace and justice among nations as the foundation for the ideals of freedom and well-being to which mankind aspires,

Reiterating that cooperation among all nations on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socio-economic and political system, is essential for the promotion of peace and development,

Reiterating that, in order to ensure the full implementation of the right to development, the international cooperation should be conducive to an improvement of relations among States as well as to their commitment to refrain from conditioning their economic assistance to developing countries,

Considering that the efforts of the developing countries for their own development should be supported by an increased flow of resources and by the adoption of appropriate and substantive measures for creating an external environment conducive to such development,

1. Reiterates its request that the Commission on Human Rights should continue its current work on overall analysis with a view to further promoting and strengthening human rights and fundamental freedoms, including the question of the programme and working methods of the Commission, and on the overall analysis of the alternative approaches and ways and means for improving the effective enjoyment of human rights and fundamental freedoms in accordance with the provisions and ideas set forth in General Assembly resolution 32/130;

2. Affirms that a primary aim of international cooperation in the field of human rights is a life of freedom, dignity and peace for all peoples and for every human being, that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from promoting and protecting the others;

3. Reaffirms that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil and political rights and of economic, social and cultural rights;

4. Reiterates once again that the international community should accord, or continue to accord, priority to the search for solutions to mass and flagrant violations of human rights of peoples and individuals affected by situations such as those mentioned in paragraph 1 (e) of General Assembly resolution 32/130, paying due attention also to other situations of violations of human rights;

5. Notes that the questions mentioned in paragraph 4 of the present resolution were discussed during the second World Conference on Human Rights and are referred to in its Declaration 4/ as obstacles still prevailing to attain further progress in the field of human rights;

6. Reaffirms that the right to development is an inalienable human right;

7. Reaffirms also that international peace and security are essential elements for achieving full realization of the right to development;

8. Recognizes that all human rights and fundamental freedoms are indivisible and interdependent;

9. Considers it necessary for all Member States to promote international cooperation on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socioeconomic and political system, with a view to solving international economic, social and humanitarian problems;

10. Urges all States to cooperate with the Commission on Human Rights in the promotion and protection of human rights and fundamental freedoms;

11. Also urges all States to promote international cooperation which contributes to the enhancement of the promotion and preservation of human rights, unbiased by any political motivation or condition whatsoever;

12. Decides that the approaches to future work within the United Nations system on human rights matters should take into account the content of the Declaration on the Right to Development and the need for the implementation thereof;

13. Decides to consider this question at its forty-ninth session.



General Assembly

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Forty-eighth session
THIRD COMMITTEE
Agenda item 114 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS,
INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING
THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS

China, Cuba, Democratic People's Republic of
Korea, Lao People's Democratic Republic, Namibia,
Sudan, United Republic of Tanzania, Viet Nam and
Zimbabwe: draft resolution

Respect for the principles of national sovereignty and
non-interference in the internal affairs of States in
their electoral processes

The General Assembly,

Reaffirming the purposes of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Also recalling its resolution 2625 (XXV) of 24 October 1970, by which it approved the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Further recalling the principle enshrined in Article 2, paragraph 7, of the Charter of the United Nations, which establishes that nothing contained in the Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the Charter,

Reaffirming the legitimacy of the struggle of peoples for independence, territorial integrity, national unity and for liberation from colonial domination and apartheid, and for the establishment of a society in which the people, irrespective of race, colour or creed, will fully enjoy political and other rights on a basis of equality and participate freely in the determination of their destiny,

Also reaffirming the legitimacy of the struggle of all peoples under colonial and foreign domination, particularly the Palestinian people, for the exercise of their inalienable right to self-determination and national independence, which will enable them to decide freely on their own future,

Recognizing that the principles of national sovereignty and non-interference in the internal affairs of any State should be respected in the holding of elections,

Also recognizing that there is no single political system or single model for electoral processes equally suited to all nations and their peoples, and that political systems and electoral processes are subject to historical, political, cultural and religious factors,

Convinced that the establishment of the necessary mechanisms and means to guarantee full popular participation in electoral processes corresponds to States,

Recalling its resolutions in this regard, in particular resolution 46/130 of 17 December 1991,

Welcoming the Vienna Declaration and Programme of Action 1/ adopted at the second World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, which reaffirms that the processes of promoting and protecting human rights should be conducted in conformity with the purposes and principles of the Charter of the United Nations,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right, freely and without external interference, to determine their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right in accordance with the provisions of the Charter;

2. Reaffirms that it is the concern solely of peoples to determine methods and to establish institutions regarding the electoral process, as well as to determine the ways for its implementation according to their constitution and national legislation, and that, consequently, States should establish the necessary mechanisms and means to guarantee full popular participation in those processes;

1/ A/CONF.157/23.

3. Also reaffirms that any activities that attempt, directly or indirectly, to interfere in the free development of national electoral processes, in particular in the developing countries, or that intend to sway the results of such processes, violate the spirit and letter of the principles established in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations;

4. Further reaffirms that there is no universal need for the United Nations to provide electoral assistance to Member States, except in special circumstances such as cases of decolonization, in the context of regional or international peace processes or at the request of specific sovereign States, by virtue of resolutions adopted by the Security Council or the General Assembly in each case, in strict conformity with the principles of sovereignty and non-interference in the internal affairs of States;

5. Urges all States to respect the principle of non-interference in the internal affairs of States and the sovereign right of peoples to determine their political, economic and social systems;

6. Strongly appeals to all States to refrain from financing or providing, directly or indirectly, any other form of overt or covert support for political parties or groups and from taking actions to undermine the electoral processes in any country;

7. Condemns any act of armed aggression or threat or use of force against peoples, their elected Governments or their legitimate leaders;

8. Reiterates that only the total eradication of apartheid and the establishment of a non-racial, democratic society based on majority rule, through the full and free exercise of universal suffrage, can lead to a just and lasting solution to the situation in South Africa;

9. Reaffirms the legitimacy of the struggle of all peoples under colonial and foreign domination, particularly of the Palestinian people, for the exercise of their inalienable right to self-determination and national independence, which will enable them to determine their political, economic and social system, without interference;

10. Calls upon the Commission on Human Rights at its fiftieth session to continue giving priority to the review of the fundamental factors that negatively affect the observance of the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes and to report to the General Assembly at its forty-ninth session, through the Economic and Social Council;

11. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution under the item entitled "Human rights questions".



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Forty-eighth session
THIRD COMMITTEE
Agenda item 114 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING
ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT
OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Bangladesh, China, Cuba, Democratic People's Republic of
Korea, Gabon, Ghana, Indonesia, Iran (Islamic Republic
of), Iraq, Lao People's Democratic Republic, Malaysia,
Mexico, Namibia, Nigeria, Pakistan, Peru, Sudan, United
Republic of Tanzania, Viet Nam, Zambia and Zimbabwe:
draft resolution

Strengthening of United Nations action in the human rights
field through the promotion of international cooperation
and the importance of non-selectivity, impartiality and
objectivity

The General Assembly,

Reaffirming its faith in fundamental human rights, in the dignity and worth of the human person and the equal rights of men and women and of nations large and small, and its determination to promote social progress and better standards of living in greater freedom,

Bearing in mind that one of the purposes of the United Nations is to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Bearing in mind also that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling that, in accordance with Article 55 of the Charter of the United Nations, the Organization shall promote universal respect for, and observance of, human rights and fundamental freedoms for all, with a view to the creation of conditions of stability and well-being that are necessary for peaceful and friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples and that, in accordance with Article 56, all Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55.

Reiterating that Member States should continue to act in the human rights field in conformity with the provisions of the Charter,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter, as well as the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights 2/ and other relevant instruments,

Deeply convinced that United Nations action in this field should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Reaffirming its resolutions 45/163 of 18 December 1990, 46/129 of 17 December 1991 and 47/131 of 18 December 1992,

Bearing in mind its resolutions 2131 (XX) of 21 December 1965, 2625 (XXV) of 24 October 1970 and 36/103 of 9 December 1981,

Taking into account Commission on Human Rights resolution 1993/59 of 9 March 1993,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed by the second World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,

Aware of the fact that the promotion, protection and full exercise of all human rights and fundamental freedoms as legitimate concerns of the world community should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends,

1/ Resolution 207 A (III).

2/ Resolution 2200 A (XXI), annex.

Affirming the importance of the objectivity, independence and discretion of the special rapporteurs and representatives on thematic issues and countries, as well as of the members of the working groups, in carrying out their mandate,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. Reaffirms that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. Calls upon all Member States to base their activities for the protection and promotion of human rights, including the development of further international cooperation in this field, on the Charter, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, 3/ the International Covenant on Civil and Political Rights 3/ and other relevant international instruments, and to refrain from activities that are inconsistent with this international framework;

4. Considers that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. Affirms that the promotion, protection and full realization of all human rights and fundamental freedoms as legitimate concerns of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity, and should not be used for political ends;

6. Requests all human rights bodies within the United Nations system, in particular the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. Expresses its conviction that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

3/ See resolution 2200 A (XXI), annex.

8. Underlines, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

9. Invites Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. Requests the Commission on Human Rights, at its fiftieth session, to continue to examine ways and means to strengthen United Nations action in this regard on the basis of the present resolution and of Commission resolution 1993/59;

11. Decides to consider this matter at its forty-ninth session under the item entitled "Human rights questions".



General Assembly

Distr.
LIMITED

A/C.3/48/L.46
29 November 1993

ORIGINAL: ENGLISH

Forty-eighth session
THIRD COMMITTEE
Agenda item 114 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS,
INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING
THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS

Afghanistan, Albania, Algeria, Argentina, Austria, Azerbaijan,
Belarus, Chile, Comoros, Costa Rica, Czech Republic, Dominican
Republic, Egypt, Guinea, India, Indonesia, Kyrgyzstan, Lebanon,
Mauritania, Mauritius, Morocco, Pakistan, Peru, Philippines,
Republic of Korea, Romania, Russian Federation, Senegal, the
former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey
and Ukraine: draft resolution

United Nations year for tolerance

The General Assembly,

Recalling that the Charter of the United Nations affirms in its preamble that to practice tolerance is one of the principles to be applied to attain the ends pursued by the United Nations of preventing war and maintaining peace,

Recalling also that one of the purposes of the United Nations as set forth in the Charter is the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Mindful of the Universal Declaration of Human Rights 1/ and of the International Covenants on Human Rights, 2/

1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

Bearing in mind the Vienna Declaration and Programme of Action, 3/ adopted at the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,

Convinced that tolerance - the recognition and appreciation of others, the ability to live together with and to listen to others - is the sound foundation of any civil society and of peace,

Recalling its resolution 47/124 of 18 December 1992, in which, inter alia, it invited the Economic and Social Council to consider at its 1993 session the question of proclaiming 1995 the United Nations year for tolerance and to transmit a recommendation to the General Assembly at its forty-eighth session,

Recalling also resolution 5.6 of the General Conference of the United Nations Educational, Scientific and Cultural Organization, concerning the proclamation of 1995 as the United Nations year for tolerance, 4/

Taking note of Economic and Social Council resolution 1993/57 of 29 July 1993, in which the Council recommended that the General Assembly, at its forty-eighth session, proclaim 1995 the United Nations year for tolerance,

Taking into account the note of the Secretary-General, 5/

Bearing in mind its decision 35/424 of 5 December 1980 and Economic and Social Council resolution 1980/67 of 25 July 1980 concerning guidelines for international years and anniversaries,

Noting that the preparation for the United Nations year for tolerance will not involve any financial implications for the United Nations,

1. Proclaims 1995 the United Nations year for tolerance;
2. Recommends that the specialized agencies, regional commissions and other organizations of the United Nations system consider in their respective forums the contributions they could make to the success of the United Nations year for tolerance;
3. Invites the United Nations Educational, Scientific and Cultural Organization to assume the role of lead organization for the United Nations year for tolerance;
4. Calls upon all Member States to cooperate with the United Nations Educational, Scientific and Cultural Organization in the preparation of the national and international programmes for the United Nations year for tolerance

3/ A/CONF.157/24 (Part I), chap. III.

4/ See United Nations Educational, Scientific and Cultural Organization, Records of the General Conference, Twenty-sixth Session, vol. 1: Resolutions.

5/ A/48/210-E/1993/89.

and to participate actively in the implementation of the activities to be organized within the framework of the year;

5. Invites interested intergovernmental and non-governmental organizations to exert efforts in their respective fields to contribute adequately to the preparation of programmes for the United Nations year for tolerance;

6. Requests the United Nations Educational, Scientific and Cultural Organization to prepare, in accordance with its General Conference resolution 5.6, a declaration on tolerance;

7. Decides to include in the provisional agenda of its forty-ninth session an item entitled "Preparation and organization of the United Nations Year for Tolerance".



General Assembly

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A/C.3/48/L.47
30 November 1993

ORIGINAL: ENGLISH

Forty-eighth session
THIRD COMMITTEE
Agenda item 114 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING
ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT
OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Angola, Cameroon, Chile, Costa Rica, Côte d'Ivoire, Dominican
Republic, Gambia, Malawi, Mongolia, Morocco, Namibia, Nicaragua,
Nigeria, Philippines and Slovenia: draft resolution

Human rights education decade

The General Assembly,

Guided by the fundamental and universal principles enshrined in the Charter
of the United Nations and the Universal Declaration of Human Rights, 1/

Reaffirming article 26 of the Universal Declaration of Human Rights,
according to which "education shall be directed to the full development of the
human personality and to the strengthening of respect for human rights and
fundamental freedoms",

Recalling the provisions of other international human rights instruments,
such as article 13 of the International Covenant on Economic, Social and
Cultural Rights, 2/ and article 20 of the Convention on the Rights of the
Child, 3/ that reflect the aims of the aforementioned article,

Convinced that human rights education is a universal priority in that it
contributes to a concept of development consistent with the dignity of the human

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- 1/ Resolution 217 A (III), annex.
2/ Resolution 2200 A (XXI), annex.
3/ Resolution 44/25, annex.

person, which must include consideration of the diversity of groups such as children, women, indigenous peoples, minorities, the disabled and others,

Aware that human rights education involves more than providing information but rather is a comprehensive life-long process by which people at all levels of development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect within a democratic society,

Taking into account the efforts made by educators and non-governmental organizations in all parts of the world, as well as by intergovernmental agencies, including the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization and the United Nations Children's Fund, to promote education in accordance with the aforementioned principles,

Considering the World Plan of Action on Education for Human Rights and Democracy, adopted by the International Congress on Education for Human Rights and Democracy, convened by the United Nations Educational, Scientific and Cultural Organization in Montreal from 8 to 11 March 1993, according to which "education for human rights and democracy is itself a human right, and a prerequisite for the realization of human rights, democracy and social justice",

Aware of the experience in human rights education of United Nations peace-building operations, including the United Nations Observer Mission in El Salvador and the United Nations Transitional Authority in Cambodia,

Taking into account Commission on Human Rights resolution 1993/56 of 9 March 1993, according to which the Commission recommended "that knowledge of human rights, both in its theoretical dimension and in its practical application, should be established as a priority in educational policies",

Bearing in mind the Vienna Declaration and Programme of Action 4/ of the World Conference on Human Rights, adopted at Vienna on 25 June 1993, and in particular paragraphs 78 to 82,

1. Appeals to all Governments to step up their efforts to eradicate illiteracy and to direct education towards the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms;
2. Urges governmental and non-governmental educational agencies to intensify their efforts to establish and implement programmes of human rights education, as recommended by the Vienna Declaration and Programme of Action;
3. Notes the plan of action presented to the International Congress on Education for Human Rights and Democracy, and recommends that Governments and non-governmental organizations consider this plan in preparing national plans for human rights education;

4. Requests the Commission on Human Rights to consider, in cooperation with Member States, human rights treaty-monitoring bodies and appropriate bodies and appropriate non-governmental organizations, proposals for a United Nations decade for human rights education, and to submit, through the Economic and Social Council, a plan of action for such a decade, to be proclaimed by the General Assembly at its forty-ninth session;

5. Requests the Secretary-General to consider the establishment of a voluntary fund for human rights education, with special provision for the support of human rights education activities of non-governmental organizations, to be administered by the Centre for Human Rights of the United Nations Secretariat;

6. Invites the specialized agencies and United Nations programmes to develop suitable activities in their respective fields of competence to further the objectives of human rights education;

7. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community, and to intergovernmental and non-governmental organizations concerned with human rights and education;

8. Calls upon international, regional and national non-governmental organizations, and in particular those concerned with women, labour, development and the environment, as well as all other social justice groups, human rights advocates, educators, religious organizations and the media, to increase their involvement in formal and non-formal education in human rights and to cooperate with the Centre for Human Rights in preparing for a United Nations decade for human rights education;

9. Urges the existing human rights monitoring bodies to place particular emphasis on the implementation by Member States of their international obligation to promote human rights education;

10. Decides to consider this matter at its forty-ninth session under the item entitled "Human rights questions".



General Assembly

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29 November 1993

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Forty-eighth session
THIRD COMMITTEE
Agenda item 114 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS,
INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING
THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS

Albania, Argentina, Australia, Austria, Bahamas,
Belarus, Belgium, Bulgaria, Canada, Chile, Costa
Rica, Côte d'Ivoire, Croatia, Cyprus, Czech
Republic, Denmark, Finland, France, Germany,
Greece, Guatemala, Hungary, Iceland, Ireland,
Italy, Latvia, Liechtenstein, Lithuania,
Luxembourg, Malta, Marshall Islands, Morocco,
Netherlands, New Zealand, Norway, Peru, Poland,
Portugal, Romania, Russian Federation,
San Marino, Sierra Leone, Slovenia, Spain,
Sweden, Ukraine, United Kingdom of Great
Britain and Northern Ireland, United States of
America, Uruguay and Venezuela: draft
resolution

Elimination of all forms of religious intolerance

The General Assembly,

Recalling that all States have pledged themselves in the Charter of the United Nations to promote and encourage universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing that these rights derive from the inherent dignity of the human person,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter of the United Nations,

Reaffirming its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling its resolution 47/129 of 18 December 1992, in which it requested the Commission on Human Rights to continue its consideration of measures to implement the Declaration,

Recalling also Commission on Human Rights resolution 1993/25 of 5 March 1993, 1/

Reaffirming the call of the World Conference on Human Rights for all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,

Recalling Commission on Human Rights resolution 1992/17 of 21 February 1992 2/ and Economic and Social Council decision 1992/226 of 20 July 1992, by which the mandate of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate was extended for three years,

Welcoming the appointment of Mr. Abdelfattah Amor as Special Rapporteur of the Commission on Human Rights, and calling on all Governments to cooperate with the Special Rapporteur to enable him to carry out his mandate fully,

Recognizing that it is desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and that both Governments and non-governmental organizations have an important role to play in this domain,

Emphasizing that non-governmental organizations and religious bodies and groups at every level have an important role to play in the promotion of tolerance and the protection of freedom of religion or belief,

Conscious of the importance of education in ensuring tolerance of religion and belief,

Alarmed that serious instances, including acts of violence, of intolerance and discrimination on the grounds of religion or belief occur in many parts of the world, as evidenced in the report of the former Special Rapporteur of the Commission on Human Rights, Mr. Angelo Vidal d'Almeida Ribeiro,

1/ Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. I, sect. A.

2/ Ibid., 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

Reaffirming the dismay and condemnation expressed by the World Conference on Human Rights at the continued occurrence of gross and systematic violations and situations that constitute serious obstacles to the full enjoyment of all human rights, including religious intolerance,

Believing that further efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief,

1. Reaffirms that freedom of thought, conscience, religion and belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. Urges States to ensure that their constitutional and legal systems provide full guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies where there is intolerance or discrimination based on religion or belief;

3. Recognizes that legislation alone is not enough to prevent violations of human rights, including the right to freedom of religion or belief;

4. Urges all States therefore to take all appropriate measures to combat hatred, intolerance and acts of violence, including those motivated by religious extremism, and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief;

5. Also urges States to ensure that, in the course of their official duties, members of law enforcement bodies, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

6. Calls upon all States to recognize, as provided in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief, and to establish and maintain places for these purposes;

7. Also calls upon all States in accordance with their national legislation to exert utmost efforts to ensure that religious places and shrines are fully respected and protected;

8. Considers it desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and to ensure that appropriate measures are taken to this end in the World Public Information Campaign for Human Rights;

9. Invites the Secretary-General to continue to give high priority to the dissemination of the text of the Declaration, in all the official languages of the United Nations, and to take all appropriate measures to make the text available for use by the United Nations information centres, as well as by other interested bodies;

10. Encourages the continued efforts on the part of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

11. Encourages Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him to fulfil his mandate even more effectively;

12. Recommends that the promotion and protection of the right to freedom of thought, conscience and religion be given appropriate priority in the work of the United Nations programme of advisory services in the field of human rights, including with regard to the drafting to basic legal texts in conformity with international instruments on human rights and taking into account the provisions of the Declaration;

13. Notes with interest the adoption by the Human Rights Committee of a general comment on article 18 of the International Covenant on Civil and Political Rights, 3/ dealing with freedom of thought, conscience and religion;

14. Welcomes the efforts of non-governmental organizations to promote the implementation of the Declaration;

15. Requests the Secretary-General to invite interested non-governmental organizations to consider what further role they could envisage playing in the implementation of the Declaration and in its dissemination in national and local languages;

16. Urges all States to consider disseminating the text of the Declaration in their respective national languages and to facilitate its dissemination in national and local languages;

17. Requests the Commission on Human Rights to continue its consideration of measures to implement the Declaration;

18. Decides to consider the question of the elimination of all forms of religious intolerance at its forty-ninth session under the item entitled "Human rights questions".

3/ See resolution 2200 A (XXI), annex.



General Assembly

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A/C.3/48/L.49
29 November 1993

ORIGINAL: ENGLISH

Forty-eighth session
THIRD COMMITTEE
Agenda item 114 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING
ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE
ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Afghanistan, Argentina, Armenia, Australia, Austria,
Bahamas, Belgium, Benin, Bolivia, Bulgaria, Canada, Central
African Republic, Chad, Chile, Costa Rica, Croatia, Cyprus,
Czech Republic, Denmark, Egypt, Estonia, Ethiopia, Finland,
France, Gambia, Georgia, Germany, Ghana, Greece, Grenada,
Guatemala, Guinea, Guinea-Bissau, Hungary, Iceland,
Indonesia, Ireland, Italy, Lesotho, Luxembourg, Madagascar,
Malta, Marshall Islands, Mauritania, Mauritius, Monaco,
Morocco, Namibia, Nepal, Netherlands, New Zealand,
Nicaragua, Nigeria, Norway, Pakistan, Panama, Peru, Poland,
Portugal, Republic of Korea, Republic of Moldova, Romania,
Russian Federation, Rwanda, Senegal, Slovenia, Spain,
Suriname, Sweden, Tunisia, Turkey, Ukraine, United Republic
of Tanzania, Uruguay and Venezuela: draft resolution

Strengthening of the Centre for Human Rights of the Secretariat

The General Assembly,

Recalling its resolutions 44/135 of 15 December 1989, 45/180 of
December 1990, 46/118 and 46/111 of 17 December 1991, and 47/127 of
18 December 1992, and bearing in mind all relevant resolutions of the Economic
and Social Council and the Commission of Human Rights,

Considering that the promotion of universal respect for and observance of
human rights and fundamental freedoms is one of the basic purposes of the United
Nations enshrined in the Charter of the United Nations and of high importance to
the Organization,

Recalling that the Vienna Declaration and Programme of Action 1/ stresses the importance of strengthening the Centre for Human Rights,

Recalling also that the Secretary-General, in his reports on the work of the Organization for 1992 2/ and 1993 3/, stated that "the Charter of the United Nations places the promotion of human rights as one of our priority objectives, along with promoting development and preserving international peace and security", and that "in the course of 1993, the activities of the Centre for Human Rights at Geneva underwent a significant expansion in the five main areas of its work",

Noting that the difficult financial situation of the Centre for Human Rights of the Secretariat has created considerable obstacles in implementing the various procedures and mechanisms, negatively influenced the servicing by the Secretariat of the bodies concerned and impaired the quality and precision of the reporting,

1. Supports the efforts of the Secretary-General to enhance the role and importance of the Centre for Human Rights of the Secretariat as the coordinating unit within the United Nations system of bodies dealing with the promotion and the protection of human rights;
2. Requests the Secretary-General to make additional proposals in order to further increase the resources of the human rights programme in 1994-1995, to enable the Centre for Human Rights to fully discharge its duties in implementing all the mandates assigned to it by the General Assembly and other legislative bodies;
3. Welcomes the recommendations of the World Conference for Human Rights concerning the strengthening of the Centre for Human Rights, as contained in the Vienna Declaration and Programme of Action;
4. Takes note of the conclusion of the Committee for Programme and Coordination on the proposed programme budget 1994-1995 in which it recommends the approval of the programme narratives of section 21 of the proposed programme budget for the biennium 1994-1995;
5. Takes note also of the statement in the report of the Secretary-General on the implications of organizational changes 4/ that he would propose to use the remaining vacant posts now available in the Secretariat "in the light of new initiatives and emerging mandates and priorities";

1/ A/CONF.157/23.

2/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 1 (A/47/1), para. 100.

3/ A/48/1, para. 250.

4/ A/47/7/Add.1.

6. Requests the Secretary-General and Member States to ensure that additional resources from the regular budget are accorded to the Centre for Human Rights to enable it to carry out, in full and on time, the mandates contained in the Vienna Declaration and Programme of Action;

7. Requests also the Secretary-General to submit an interim report to the Commission on Human Rights at its fiftieth session and a final report to the General Assembly at its forty-ninth session on the strengthening of the Centre for Human Rights and on the measures taken to implement the present resolution.



General Assembly

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30 November 1993

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Forty-eighth session
THIRD COMMITTEE
Agenda item 114 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS,
INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING
THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS

Armenia, Australia, Austria, Brazil, China, Costa Rica,
France, Indonesia*, Mexico, Spain and Uruguay:
draft resolution

Right to development

The General Assembly,

Reaffirming the proclamation by the General Assembly, at its forty-first session, of the Declaration on the Right to Development, 1/

Recalling its resolutions 45/97 of 14 December 1990, 46/123 of 17 December 1991 and 47/123 of 18 December 1992, and those of the Commission on Human Rights relating to the right to development, and taking note of Commission resolution 1993/22 of 4 March 1993, 2/

Recalling also the report on the Global Consultation on the Realization of the Right to Development as a Human Right, 3/

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

1/ Resolution 41/128, annex.

2/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23).

3/ E/CN.4/1990/Rev.1.

Recalling further the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992, 4/

Reiterating the importance of the right to development for all countries, in particular the developing countries,

Mindful that the Commission on Human Rights entered a new phase at its forty-ninth session in its consideration of this matter, which is directed towards the implementation and further enhancement of the right to development,

Reaffirming the need for an evaluation mechanism so as to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development, and welcoming, in this regard, the establishment of a working group on the right to development by the Commission on Human Rights at its forty-ninth session,

Recalling that the World Conference on Human Rights 5/ held at Vienna examined the relationship between development and the enjoyment by everyone of economic, social and cultural rights as well as civil and political rights, recognizing the importance of creating the conditions whereby everyone may enjoy these rights as set out in the International Covenants on Human Rights, 6/

Recalling also that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights,

Welcoming the Vienna Declaration and Programme of Action 7/ adopted at the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, which reaffirms the right to development as a universal and inalienable right and an integral part of fundamental human rights, and that the human person is the central subject of development,

Having considered the comprehensive report of the Secretary-General prepared pursuant to resolution 47/123, 8/

1. Reaffirms the importance of the right to development for all countries, in particular the developing countries;

4/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (A/CONF.151/26 (vol. I)).

5/ A/CONF.157/24 (Parts I and II).

6/ Resolution 2200 A (XXI), annex.

7/ A/CONF.157/24 (Part I), chap. III.

8/ E/CN.4/1993/16.

2. Takes note with interest of the comprehensive report of the Secretary-General prepared in accordance with General Assembly resolution 47/123; 8/

3. Requests the Secretary-General to submit to the Commission on Human Rights at its fiftieth session concrete proposals on the effective implementation and promotion of the Declaration on the Right to Development, taking into account the views expressed on the issue at the forty-ninth session of the Commission as well as any further comments and recommendations that may be submitted on the basis of paragraph 10 of Commission resolution 1993/22;

4. Takes note with appreciation of the convening of the first meeting of the Working Group on the Right to Development from 8 to 19 November 1993 at Geneva;

5. Requests the Secretary-General to continue coordination of the various activities with regard to the implementation of the Declaration;

6. Urges all relevant bodies of the United Nations system, particularly the specialized agencies, when planning their programmes of activities, to take due account of the Declaration and to make efforts to enhance their cooperation in its application;

7. Also urges the regional commissions and regional intergovernmental organizations to convene meetings of governmental experts and representatives of non-governmental and grass-roots organizations for the purpose of seeking agreements for the implementation of the Declaration through international cooperation;

8. Requests the Secretary-General to inform the Commission on Human Rights at its fiftieth session and the General Assembly at its forty-ninth session of the activities of the organizations, programmes and agencies of the United Nations system for the implementation of the Declaration;

9. Calls upon the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration, taking into account the conclusions and recommendations of the Global Consultation on the Realization of the Right to Development as a Human Right and the report of the Working Group on the Right to Development;

10. Takes note with satisfaction of the result of the World Conference on Human Rights, which reaffirms that all human rights are universal, indivisible and interdependent and interrelated; and that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing;

11. Decides to consider this question at its forty-ninth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".



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29 November 1993

ORIGINAL: ENGLISH

Forty-eighth session
THIRD COMMITTEE
Agenda item 114 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Afghanistan, Bangladesh, Bosnia and Herzegovina, Djibouti,
Egypt, Iran (Islamic Republic of), Malaysia, Morocco,
Pakistan, Saudi Arabia, Senegal, Sudan, Tunisia, Turkey and
Yemen: draft resolution

Rape and abuse of women in the territory of the former Yugoslavia

The General Assembly,

Guided by the purpose and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights, 2/ the International Convention on the Elimination of All Forms of Racial Discrimination, 3/ the Convention on the Prevention and Punishment of the Crime of Genocide, 4/ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 5/ the Convention on the Elimination of All Forms of Discrimination against Women, 6/ the Convention on the Rights of the Child 7/ and other instruments of international humanitarian law, including the Geneva Conventions of 12 August 1949 8/ and the Additional Protocols thereto of 1977, 9/

- 1/ Resolution 217 A (III).
- 2/ Resolution 2200 A (XXI), annex.
- 3/ Resolution 2106 A (XX), annex.
- 4/ Resolution 260 A (III).
- 5/ Resolution 39/46, annex.
- 6/ Resolution 34/180, annex.
- 7/ Resolution 44/25, annex.
- 8/ United Nations, Treaty Series, Nos. I-970, I-971, I-972, I-973.
- 9/ United Nations, Treaty Series, vol. 1125, No. 17512.

Recalling General Assembly resolution 3074 (XXVIII) of 3 December 1973, entitled "Principles of international cooperation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity",

Recalling Commission on Human Rights resolution 1993/8 of 23 February 1993, entitled "Rape and abuse of women in the territory of the former Yugoslavia",

Appalled at the recurring and substantiated reports of widespread rape and abuse of women and children in the former Yugoslavia, in particular its systematic use against the Muslim women and children in Bosnia and Herzegovina by Serbian forces,

Reaffirming the relevant Security Council resolutions, in particular resolution 798 (1992) of 18 December 1992 in which, inter alia, the Council strongly condemned these acts of unspeakable brutality,

Convinced that this heinous practice constitutes a deliberate weapon of war in fulfilling the policy of ethnic cleansing carried out by Serbian forces in Bosnia and Herzegovina, and noting General Assembly resolution 47/121 of 18 December 1992, in which the Assembly stated, inter alia, that the abhorrent policy of ethnic cleansing was a form of genocide,

Welcoming the initiatives taken by the Special Rapporteur on the situation of human rights in the former Yugoslavia, particularly his prompt dispatch of a team of experts to the former Yugoslavia to investigate the allegations of rape and abuse of women,

Welcoming also the initiative of the European Council on the rapid dispatch of a mission to investigate the treatment of Muslim women in the former Yugoslavia, and the delegation's report, 10/

Noting with deep concern the findings of the team of experts dispatched by the Special Rapporteur, 11/ and those of the mission dispatched by the European Council,

Welcoming the establishment of an International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1992, in pursuance of Security Council resolutions 808 (1993) and 827 (1993),

Noting with deep concern the reports on the findings of the Special Rapporteur 12/ and the Secretary-General, assisted by the staff of the Special Rapporteur, 13/ regarding rape and abuse of women in the territory of the former Yugoslavia, particularly Bosnia and Herzegovina,

10/ E/CN.4/1993/92.

11/ E/CN.4/1993/50, annex II.

12/ E/CN.4/1994/47.

13/ E/CN.4/1994/5

Deeply alarmed at the situation facing victims of rape in the conflicts in different parts of the world, in particular in the former Yugoslavia, and the continuing use of rape as an "instrument of war",

Desirous of ensuring that any person guilty of rape in the former Yugoslavia will be brought to justice by the International Tribunal,

Recognizing the extraordinary suffering of the victims of rape and sexual violence and the necessity for an appropriate response to their suffering,

Taking into account resolution 37/7 of 25 March 1993 of the Commission on the Status of Women,

Noting with appreciation the work of humanitarian organizations aimed at supporting the victims of rape and abuse and alleviating their suffering,

1. Strongly condemns the abhorrent practice of rape and abuse of women and children in the former Yugoslavia which, in the circumstances, constitutes a war crime;

2. Expresses its outrage that the systematic practice of rape is being used as a weapon of war against Muslim women and children and as an instrument of the policy of ethnic cleansing carried out in Bosnia and Herzegovina by the Serbian forces, and that rape has also been used as an instrument of ethnic cleansing in Croatia;

3. Demands that those involved immediately cease these outrageous acts, which are in gross violation of international humanitarian law, including the Geneva Conventions of 1949 8/ and the Additional Protocols thereto of 1977, 9/ and take immediate action to ensure the enjoyment of human rights and fundamental freedoms in accordance with their obligations under these instruments and other applicable international human rights instruments;

4. Urges all States Members of the United Nations to take joint and separate action, in cooperation with the United Nations, to bring about an end to this despicable practice;

5. Reaffirms that all persons who perpetrate or authorize crimes against humanity and other violations of international humanitarian law are individually responsible for those violations, and that those in positions of authority who have failed adequately to ensure that persons under their control comply with the relevant international instruments are accountable along with the perpetrators;

6. Urges States Members of the United Nations to exert every effort to bring to justice, in accordance with international recognized principles of due process, all those individuals directly or indirectly involved in these outrageous international crimes;

7. Commends the Special Rapporteur for his latest report on the situation of human rights in the territory of the former Yugoslavia; 12/

8. Urges all States and all relevant intergovernmental and non-governmental organizations, including the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees and the World Health Organization, to provide to the victims of such rape and abuse appropriate assistance for their physical and mental rehabilitation;

9. Requests the Special Rapporteur to pursue a specific investigation into the rape and abuse of women and children in the former Yugoslavia, including the dispatch of a qualified team of experts, to coordinate with the relevant thematic special rapporteurs of the Commission on Human Rights, with the mission dispatched by the European Council and with any other missions and to present a further report to the Commission;

10. Requests the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 to give priority to the cases of the victims of rape in the former Yugoslavia, and to give the perpetrators of such heinous crimes exemplary punishments;

11. Requests the Secretary-General to provide such necessary means as are available to him in the area to enable any future missions to have free and secure access to places of detention;

12. Also requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly not later than 31 January 1994;

13. Decides to remain seized of this matter.



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Forty-eighth session
THIRD COMMITTEE
Agenda item 114 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Afghanistan, Albania, Bangladesh, Bosnia and Herzegovina,
Cameroon, Costa Rica, Djibouti, Dominican Republic, Egypt,
Gambia, Iran (Islamic Republic of), Malaysia, Morocco,
Pakistan, Saudi Arabia, Senegal, Sudan, Tunisia, Turkey and
Yemen: revised draft resolution

Rape and abuse of women in the former Yugoslavia

The General Assembly,

Guided by the purpose and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights, 2/ the International Convention on the Elimination of All Forms of Racial Discrimination, 3/ the Convention on the Prevention and Punishment of the Crime of Genocide, 4/ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 5/ the Convention on the Elimination of All Forms of Discrimination against Women, 6/ the Convention on the Rights of the Child 7/ and other instruments of international humanitarian law, including the Geneva Conventions of 12 August 1949 8/ and the Additional Protocols thereto of 1977, 9/

- 1/ Resolution 217 A (III).
- 2/ Resolution 2200 A (XXI), annex.
- 3/ Resolution 2106 A (XX), annex.
- 4/ Resolution 260 A (III).
- 5/ Resolution 39/46, annex.
- 6/ Resolution 34/180, annex.
- 7/ Resolution 44/25, annex.
- 8/ United Nations, Treaty Series, Nos. I-970, I-971, I-972, I-973.
- 9/ United Nations, Treaty Series, vol. 1125, No. 17512.

Recalling General Assembly resolution 3074 (XXVIII) of 3 December 1973, entitled "Principles of international cooperation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity",

Recalling Commission on Human Rights resolution 1993/8 of 23 February 1993, entitled "Rape and abuse of women in the territory of the former Yugoslavia",

Appalled at the recurring and substantiated reports of widespread rape and abuse of women and children in the areas of armed conflict in the former Yugoslavia, in particular its systematic use against the Muslim women and children in Bosnia and Herzegovina by Serbian forces,

Reaffirming the relevant Security Council resolutions, in particular resolution 798 (1992) of 18 December 1992 in which, inter alia, the Council strongly condemned these acts of unspeakable brutality,

Convinced that this heinous practice constitutes a deliberate weapon of war in fulfilling the policy of ethnic cleansing carried out by Serbian forces in Bosnia and Herzegovina, and noting General Assembly resolution 47/121 of 18 December 1992, in which the Assembly stated, inter alia, that the abhorrent policy of ethnic cleansing was a form of genocide,

Welcoming the initiatives taken by the Special Rapporteur on the situation of human rights in the former Yugoslavia, particularly his prompt dispatch of a team of experts to the former Yugoslavia to investigate the allegations of rape and abuse of women,

Welcoming also the initiative of the European Council on the rapid dispatch of a mission to investigate the treatment of Muslim women in the former Yugoslavia, and the delegation's report, 10/

Noting with deep concern the findings of the team of experts dispatched by the Special Rapporteur, 11/ and those of the mission dispatched by the European Council,

Welcoming the establishment of an International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1992, in pursuance of Security Council resolutions 808 (1993) and 827 (1993),

Noting with deep concern the reports on the findings of the Special Rapporteur 12/ and the Secretary-General, assisted by the staff of the Special Rapporteur, 13/ regarding rape and abuse of women in the territory of the former Yugoslavia, particularly Bosnia and Herzegovina,

10/ E/CN.4/1993/92.

11/ E/CN.4/1993/50, annex II.

12/ E/CN.4/1994/47.

13/ E/CN.4/1994/5.

Deeply alarmed at the situation facing victims of rape in the conflicts in different parts of the world, in particular in the Republic of Bosnia and Herzegovina, and the continuing use of rape as a weapon of war,

Desirous of ensuring that persons accused of upholding and perpetrating rape and sexual violence as a weapon of war in the areas of armed conflict in the former Yugoslavia will be brought to justice by the International Tribunal,

Recognizing the extraordinary suffering of the victims of rape and sexual violence and the necessity for an appropriate response to provide assistance and compensation to these victims,

Taking into account resolution 37/7 of 25 March 1993 of the Commission on the Status of Women,

Noting with appreciation the work of humanitarian organizations aimed at supporting the victims of rape and abuse and alleviating their suffering,

1. Strongly condemns the abhorrent practice of rape and abuse of women and children in the areas of armed conflict in the former Yugoslavia which constitutes a war crime;

2. Expresses its outrage that the systematic practice of rape is being used as a weapon of war and an instrument of ethnic cleansing against the women and children in the areas of armed conflict in the former Yugoslavia, in particular against Muslim women and children in Bosnia and Herzegovina;

3. Demands that those involved immediately cease these outrageous acts, which are in gross violation of international humanitarian law, including the Geneva Conventions of 1949 8/ and the Additional Protocols thereto of 1977, 9/ and take immediate action to ensure the enjoyment of human rights and fundamental freedoms in accordance with their obligations under these instruments and other applicable international human rights instruments;

4. Urges all States Members of the United Nations to take joint and separate action, in cooperation with the United Nations, to bring about an end to this despicable practice;

5. Reaffirms that all persons who perpetrate or authorize crimes against humanity and other violations of international humanitarian law are individually responsible for those violations, and that those in positions of authority who have failed adequately to ensure that persons under their control comply with the relevant international instruments are accountable along with the perpetrators;

6. Urges States Members of the United Nations to exert every effort to bring to justice, in accordance with international recognized principles of due process, all those individuals directly or indirectly involved in these outrageous international crimes;

7. Commends the Special Rapporteur for his reports on the situation of human rights in the territory of the former Yugoslavia; 12/

8. Urges all States and all relevant intergovernmental and non-governmental organizations, including the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees and the World Health Organization, to provide to the victims of such rape and abuse appropriate assistance for their physical and mental rehabilitation;

9. Invites the Commission on Human Rights to request the Special Rapporteur to continue investigation into the rape and abuse of women and children in the areas of armed conflict in the former Yugoslavia, in particular in Bosnia and Herzegovina;

10. Determines that rape is a heinous crime and encourages the International Tribunal to give due priority to the cases of the victims of rape in the areas of armed conflict in the former Yugoslavia, in particular in the republic of Bosnia and Herzegovina;

11. Requests the Secretary-General to provide such necessary means as are available to him in the area to enable any future missions to have free and secure access to places of detention;

12. Also requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly not later than 31 January 1994;

13. Decides to continue the consideration of this question at its forty-ninth session.



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Agenda item 114 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS,
INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING
THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS

Pakistan: proposed amendments to draft
resolution A/C.3/48/L.42

Human rights and terrorism

1. Add a new third preambular paragraph, to read:

"Reaffirming the principles enunciated in its resolution 46/51 of 9 December 1991,"

2. Add a new operative paragraph 2, to read:

"2. Takes into account the particular situation of peoples under colonial or other forms of alien domination or foreign occupation, and recognizes the right of peoples to take any legitimate action, in accordance with the Charter of the United Nations, to realize their inalienable right of self-determination;"

3. Add a new operative paragraph 3, to read:

"3. Considers the denial of the right of self-determination of the peoples under colonial or alien domination or foreign occupation as a violation of human rights, and underlines the importance of the effective realization of this right;"



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Agenda item 114 (a)

HUMAN RIGHTS QUESTIONS: IMPLEMENTATION OF HUMAN
RIGHTS INSTRUMENTS

Australia, Austria, Belarus, Canada, Costa Rica, Czech Republic,
Denmark, El Salvador, Finland, Gambia, Guatemala, Hungary, Iceland,
Italy, Lithuania, Netherlands, New Zealand, Norway, Peru, Poland,
Portugal, Russian Federation, Senegal, Slovakia, Slovenia, Spain,
Sweden and Venezuela: draft resolution

International covenants on human rights

The General Assembly,

Recalling its resolution 46/113 of 12 December 1991, and taking note of
Commission on Human Rights resolution 1993/15 of 22 February 1993, 1/

Mindful that the International Covenants on Human Rights 2/ constitute the
first all-embracing and legally binding international treaties in the field of
human rights and, together with the Universal Declaration of Human Rights, 3/
form the core of the International Bill of Human Rights,

Taking note of the report of the Secretary-General 4/ on the status of the
International Covenant on Economic, Social and Cultural Rights, the
International Covenant on Civil and Political Rights and the Optional Protocols
to the International Covenant on Civil and Political Rights,

1/ See Official Records of the Economic and Social Council, 1993,
Supplement No. 3 (E/1993/23), chap. II, sect. A.

2/ Resolution 2200 A (XXI), annex.

3/ Resolution 217 A (III).

4/ A/48/507.

Welcoming the fact that the total number of States parties to each of the Covenants has increased significantly through recent ratifications or accessions, while noting at the same time that many States Members of the United Nations have yet to become parties to them or to the Optional Protocols or to the Covenant on Civil and Political Rights,

Recalling the International Covenant on Economic, Social and Cultural Rights 5/ and the International Covenant on Civil and Political Rights 5/ and reaffirming that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights,

Recognizing the important role of the Human Rights Committee in the implementation of the International Covenant on Civil and Political Rights and the Optional Protocols thereto, 6/

Also recognizing the important role of the Committee on Economic, Social and Cultural Rights in the implementation of the International Covenant on Economic, Social and Cultural Rights,

Welcoming the submission to the General Assembly of the annual report of the Human Rights Committee 7/ and the report of the Committee on Economic, Social and Cultural Rights on its seventh session, 8/

Considering that the effective functioning of treaty bodies established in accordance with the relevant provisions of international instruments on human rights plays a fundamental role and hence represents an important continuing concern of the United Nations,

Noting with satisfaction the ongoing efforts of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to improve their methods of work,

Noting with concern the critical situation with regard to overdue reports from States parties to the International Covenant on Human Rights,

5/ Resolution 2200 A (XXI), annex.

6/ See resolution 2200 A (XXI), annex, and resolution 44/128, annex.

7/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 40 (A/48/40).

8/ Official Records of the Economic and Social Council, 1993, Supplement No. 2 (E/1993/22).

Bearing in mind the successful conclusion of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and the adoption of the Vienna Declaration and Programme of Action, 9/ and taking into account in particular the call for strengthening and further implementation of the human rights instruments,

1. Reaffirms the importance of the International Covenants on Human Rights as major parts of international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

2. Once again urges all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and to consider acceding to the Optional Protocols to the International Covenant on Civil and Political Rights;

3. Welcomes the Secretary-General's intention to intensify systematic efforts to encourage States to become parties to the Covenants and, through the programme of advisory services in the field of human rights, to assist such States, at their request, in ratifying or acceding to the Covenants;

4. Invites the States parties to the International Covenant on Civil and Political Rights to consider making the declaration provided for in article 41 of the Covenant;

5. Emphasizes the importance of the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocols to the International Covenant on Civil and Political Rights;

6. Stresses the importance of avoiding the erosion of human rights by derogation, and underlines the necessity of strict observance of the agreed conditions and procedures for derogation under article 4 of the International Covenant on Civil and Political Rights, bearing in mind the need for States parties to provide the fullest possible information during states of emergency, so that the justification for and appropriateness of measures taken in these circumstances can be assessed;

7. Stresses the importance of fully taking into account the gender perspective, i.e., the need to take into account the specific needs and situation of women in the implementation of the Covenants at the national level, including the national reports, and in the work of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights;

8. Encourages the States to consider limiting the extent of any reservations they lodge to the International Covenants on Human Rights, to formulate any reservations as precisely and narrowly as possible and to ensure

9/ A/CONF.157/24 (Part I), chap. III.

that no reservation is incompatible with the object and purpose of the relevant treaty or otherwise contrary to international law;

9. Further encourages the States parties to review regularly any reservations made in respect of the provisions of the International Covenants on Human Rights with a view to withdrawing them;

10. Takes note with appreciation of the annual reports of the Human Rights Committee submitted to the General Assembly at its forty-seventh 10/ and forty-eighth sessions; 11/

11. Also takes note with appreciation of the reports of the Committee on Economic, Social and Cultural Rights on its sixth 12/ and seventh 13/ sessions;

12. Expresses its satisfaction with the serious and constructive manner in which both Committees are carrying out their function;

13. Welcomes the efforts of the Committees to further improve their working methods, in particular by adopting concluding observations containing specific suggestions and recommendations concerning steps States parties could take to implement the Covenants more effectively;

14. Invites the Committees to identify specific needs of States parties that might be addressed through the Advisory Services and Technical Assistance Programme of the Centre for Human Rights, with the possible participation of members of the Committees where appropriate;

15. Encourages the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to consider further innovations in their working methods, in particular, aiming at the prevention of serious human rights violations in their respective fields of competence and the promotion of peaceful solutions;

16. Welcomes the continuing efforts of the Human Rights Committee to strive for uniform standards in the implementation of the provisions of the International Covenant on Civil and Political Rights, and appeals to other bodies dealing with similar human rights questions to respect these uniform standards, as expressed in the general comments of the Human Rights Committee;

10/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 40 (A/47/40).

11/ Ibid., Forty-eighth Session, Supplement No. 40 (A/48/40).

12/ Official Records of the Economic and Social Council, 1992, Supplement No. 3 (E/1992/23).

13/ Ibid., 1993, Supplement No. 2 (E/1993/22).

17. Also welcomes the efforts of the Committee on Economic, Social and Cultural Rights in the preparation of general comments on the provisions of the International Covenant on Economic, Social and Cultural Rights;

18. Urges States parties to fulfil in good time such reporting obligations under the International Covenants on Human Rights as may be requested;

19. Urges States parties to the International Covenant on Economic, Social and Cultural Rights, the specialized agencies and other relevant United Nations bodies to extend their full support and cooperation to the Committee on Economic, Social and Cultural Rights;

20. Also urges States parties to take duly into account, in implementing the provisions of the Covenant, the observations made at the conclusion of the consideration of their reports by the Human Rights Committee and by the Committee on Economic, Social and Cultural Rights;

21. Invites States parties to give particular attention to the dissemination at the national level of the reports they have submitted to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights as well as the summary records relating to the examination of those reports by the Committees;

22. Encourages all Governments to publish the texts of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights in as many local languages as possible and to distribute them and make them known as widely as possible in their territories;

23. Requests the Secretary-General to consider ways and means of assisting States parties to the Covenants in the preparation of their reports, including seminars or workshops at the national level for the purpose of training government officials engaged in the preparation of such reports, and the exploration of other possibilities available under the regular programme of advisory services in the field of human rights;

24. Requests the Secretary-General, in accordance with the Vienna Declaration and Programme of Action, 14/ to make appropriate arrangements for additional resources from within the regular budget to be provided to the Human Rights Committee for dealing in an effective and timely manner with the increasing workload under the First Optional Protocol to the International Covenant on Civil and Political Rights;

25. Also requests the Secretary-General to ensure that the Centre for Human Rights of the Secretariat effectively assists the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in the implementation of their respective mandates;

14/ A/CONF.157/24 (Part I), chap. III, part II, paras. 9-12.

26. Once again urges the Secretary-General, taking into account the suggestions of the Human Rights Committee, to take determined steps to give more publicity to the work of that Committee and, similarly, to the work of the Committee on Economic, Social and Cultural Rights;

27. Requests the Secretary-General to submit to the General Assembly at its fiftieth session, under the item entitled "Human rights questions", a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, including all reservations and declarations.



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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS,
INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING
THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS

Australia, Bahamas, Barbados, Bolivia, Canada, Colombia,
Costa Rica, Cuba, Denmark, Dominican Republic, El Salvador,
Greece, Grenada, Guatemala, Guyana, Jamaica, Marshall Islands,
Mexico, New Zealand, Nicaragua, Norway, Peru, Suriname and
Trinidad and Tobago: draft resolution

International Decade of the World's Indigenous People

The General Assembly,

Bearing in mind that one of the purposes of the United Nations, as set forth in its Charter, is the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling its resolution 45/164 of 18 December 1990, which proclaimed 1993 as the International Year of the World's Indigenous People, with a view to strengthening international cooperation for the solution of problems faced by indigenous people in the areas, inter alia, of human rights, the environment, development, education and health,

Acknowledging the significance of the International Year in raising international awareness of the contribution of, and problems faced by, indigenous people throughout the world, and aware of the need to build on the results and lessons of the International Year,

Recognizing the importance of consulting with indigenous people, the need for financial support from the international community, including from within the United Nations system and the specialized agencies, the need for a strategic planning framework and the need for adequate coordination and communication channels,

Expressing its appreciation of the work undertaken by the Coordinator of the International Year, the Centre for Human Rights, the Goodwill Ambassador, Ms. Rigoberta Menchu, and the Working Group on Indigenous Populations,

Recognizing the value and the diversity of the cultures and the forms of social organization of the world's indigenous people,

Welcoming the report of the United Nations Conference on Environment and Development, 1/ in which the vital role of indigenous people and their communities in the interrelationship between the natural environment and its sustainable development is recognized, including their holistic traditional scientific knowledge of their lands, natural resources and environment,

Recognizing the importance of considering the establishment of a permanent forum for indigenous people in the framework of an international decade,

Noting the recommendations included in the Vienna Declaration and Programme of Action of the World Conference on Human Rights 2/ to proclaim an international decade of the world's indigenous people, to begin from 1994, including action-oriented programmes, to be decided upon in partnership with indigenous people,

1. Proclaims the International Decade of the World's Indigenous People, commencing on 10 December 1994, with the period 1 January-9 December 1994 to be set aside for planning for the Decade in partnership with indigenous people;

2. Decides that the goal of the Decade should be the strengthening of international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health;

3. Also decides that, beginning with the first year of the Decade, one day of every year shall be observed as the International Day of Indigenous People;

4. Requests the Commission on Human Rights, at its fiftieth session, to invite the Working Group on Indigenous Populations to identify at its next session an appropriate date for this purpose;

1/ A/CONF.151/26.

2/ A/CONF.157/23.

5. Requests the Secretary-General to appoint the Assistant Secretary-General for Human Rights as the Coordinator of the Decade;

6. Requests the Coordinator to coordinate the programme of activities for the Decade in full collaboration and consultation with Governments, relevant bodies and the International Labour Organization and other specialized agencies of the United Nations, indigenous and non-governmental organizations;

7. Requests relevant bodies and specialized agencies of the United Nations to designate focal points for coordination with the Centre for Human Rights of activities related to the Decade;

8. Invites Governments to ensure that activities and objectives for the Decade are planned and implemented on the basis of full consultation and collaboration with indigenous people;

9. Requests specialized agencies, regional commissions and other organizations of the United Nations system to consider how they can contribute to the success of the Decade, taking fully into account through appropriate channels the views of indigenous people, and to transmit their recommendations to the Economic and Social Council;

10. Appeals to the specialized agencies, regional commissions, financial and development institutions and other relevant organizations of the United Nations system to increase their efforts to take into special account the needs of indigenous people in their budgeting and in their programming;

11. Invites indigenous organizations and other interested non-governmental organizations to consider the contributions they can make to the success of the Decade, with a view to presenting them to the Working Group on Indigenous Populations;

12. Requests the Commission on Human Rights to ask the Working Group on Indigenous Populations to identify possible programmes and projects in connection with the Decade and to submit them through the Subcommission on Prevention of Discrimination and Protection of Minorities to the Commission on Human Rights for its consideration;

13. Recommends that adequate human and financial resources be made available to the Centre for Human Rights in support of its activities related to indigenous people, within the overall framework of strengthening its activities as envisaged by the Vienna Declaration and Programme of Action;

14. Requests the Secretary-General to establish a Voluntary Fund for the Decade, and authorizes him to accept and administer voluntary contributions from Governments, intergovernmental organizations, non-governmental organizations and other private institutions and individuals for the purpose of funding projects and programmes during the Decade;

15. Urges Governments, intergovernmental and non-governmental organizations, and invites indigenous organizations to contribute to the Voluntary Fund for the Decade to be established by the Secretary-General;

16. Invites Governments, relevant United Nations bodies and specialized agencies and other intergovernmental institutions, including financial institutions, to consider providing additional resources to finance the attachment of suitable staff, including indigenous staff, to the Centre for Human Rights on a regionally balanced basis;

17. Encourages Governments to establish national committees or other more permanent structures involving indigenous representatives to plan activities for the International Decade;

18. Requests that the meeting to be convened in accordance with General Assembly resolution 46/128 to review the International Year also consider preparations for the Decade, giving full participation to indigenous people, particularly with regard to the elaboration of a detailed plan of action, including an evaluation mechanism, and the establishment of a funding plan for the Decade, and that the meeting report to the Working Group on Indigenous Populations;

19. Urges the relevant organs, programmes and specialized agencies of the United Nations, in planning activities for the Decade, to examine how existing programmes and resources might be utilized to benefit indigenous people more effectively, including through the exploration of ways in which indigenous perspectives and activities can be included or enhanced;

20. Requests the Commission on Human Rights at its fiftieth session to give priority consideration to the establishment of a permanent forum for indigenous people in the United Nations system;

21. Requests the Secretary-General to give all the necessary assistance to ensure the success of the Decade;

22. Also requests the Secretary-General to submit a preliminary report to it at its forty-ninth session and a final report at its fiftieth session on a comprehensive programme of action for the Decade;

23. Decides to include in the provisional agenda of its forty-ninth session an item entitled "Programme of activities of the International Decade of the World's Indigenous People".



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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING
ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT
OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Albania, Argentina, Australia, Belgium, Bulgaria, Canada,
Central African Republic, Chad, Costa Rica, Cyprus, Czech
Republic, Denmark, Finland, Gambia, Greece, Hungary,
Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg,
Netherlands, Nicaragua, Norway, Panama, Poland, Republic of
Korea, Republic of Moldova, Romania, Russian Federation,
Turkey, Ukraine, United Kingdom of Great Britain and
Northern Ireland and United States of America: draft
resolution

Enhancing the effectiveness of the principle
of periodic and genuine elections

The General Assembly,

Recalling its resolutions 44/146 of 15 December 1989, 45/150 of
18 December 1990, and especially 46/137 of 17 December 1991 and 47/138 of
18 December 1992, as well as the annex to Commission on Human Rights resolution
1989/51 of 7 March 1989, 1/

Recalling also the Vienna Declaration and Programme of Action, especially
its recognition that assistance provided upon the request of Governments for the
conduct of free and fair elections, including assistance in the human rights
aspects of elections and public information aspects about elections, is of
particular importance in the strengthening and building of institutions relating

1/ See Official Records of the Economic and Social Council, 1989,
Supplement No. 2 (E/1989/20), chap. II, sect. A.

to human rights, strengthening of a pluralistic civil society, and that special emphasis should be given to measures that assist in achieving these goals; 2/

Reaffirming that electoral assistance is provided only at the specific request of the concerned Member State,

Having considered the report of the Secretary-General, 3/

Noting the high level of requests for electoral assistance by Member States,

1. Takes note with appreciation of the report of the Secretary-General 3/ on United Nations activities aimed at enhancing the effectiveness of the principle of periodic and genuine elections;

2. Commends the electoral assistance provided to Member States at their request by the Organization, requests that such assistance continue on a case-by-case basis in accordance with the proposed guidelines on electoral assistance, recognizing that the fundamental responsibility for ensuring free and fair elections lies with Governments, and also requests the Electoral Assistance Unit to inform Member States on a regular basis about the requests received, the responses given to those requests and the nature of the assistance provided;

3. Requests that the Organization attempt to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission for providing such assistance, that conditions exist to allow a free and fair election and that provisions can be made for adequate and comprehensive reporting of the results of this mission;

4. Recommends that the United Nations, in order to ensure the continuation and consolidation of the democratization process in Member States requesting assistance, provide assistance before and after elections have taken place, including needs-assessment missions aimed at recommending programmes which might contribute to the consolidation of the democratization process;

5. Recalls the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Observation and the establishment by the Administrator of the United Nations Development Programme of a separate fund, the Trust Fund for Technical Assistance to Electoral Processes, and calls upon Member States to consider contributing to the Funds;

6. Stresses the importance of coordination by the focal point within the United Nations system, commends the Centre for Human Rights of the Secretariat for the advisory services and technical assistance it provides and the Department of Economic and Social Development of the Secretariat and the United

2/ A/CONF.157/24 (Part I), chap. III, part II, para. 67.

3/ A/47/668, Add.1.

Nations Development Programme for the technical assistance they provide to requesting Member States, and requests the focal point to strengthen its collaboration with the Centre for Human Rights, including through an exchange of personnel when appropriate, as well as with the Department of Economic and Social Development and the United Nations Development Programme, and inform them of requests presented in the area of electoral assistance;

7. Recommends that the Organization continue and strengthen its coordination of election preparation and observation with intergovernmental and non-governmental organizations which have an interest in such activities;

8. Requests the Secretary-General to provide the Electoral Assistance Unit with adequate human and financial resources, under the regular budget of the Organization and within existing resources, to allow it to carry out its regular mandate;

9. Also requests the Secretary-General to reinforce the Centre for Human Rights through the redeployment of resources and personnel in order to enable it to answer, in close coordination with the Electoral Assistance Unit, the increasing number of requests from Member States for advisory services in the area of electoral assistance;

10. Recommends that, on the basis of the guidelines proposed in his last report and on the basis of experience acquired over the last two years, the Secretary-General provide a revised set of guidelines for consideration at its next session;

11. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of resolution 47/138 and the present resolution, in particular on the status of requests from Member States for electoral assistance and verification, and on the validity of the guidelines in the light of experience.



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30 November 1993

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Forty-eighth session
THIRD COMMITTEE
Agenda item 114 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS,
INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING
THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS

Argentina, Australia, Brazil, Canada, Chile, Colombia, Norway,
Russian Federation, Senegal and Venezuela: draft resolution

Strengthening of the rule of law

The General Assembly,

Recalling that the achievement of international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language and religion is one of the purposes of the United Nations,

Recalling also that, by adopting the Universal Declaration of Human Rights, 1/ Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Firmly convinced that, as stressed in the Universal Declaration of Human Rights, the rule of law is an essential factor in the protection of human rights,

Convinced also that, through their own national legal and judicial systems States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

Aware of the need for the implementation of strengthened advisory services and technical assistance activities in the field of human rights,

1/ Resolution 217 A (III).

Mindful of the significant role played by national institutions in the promotion and protection of universally recognized human rights and fundamental freedoms in their respective countries,

Convinced that the Centre for Human Rights should play an important role in coordinating system-wide attention for human rights,

Recalling Commission on Human Rights resolutions 1992/51 of 3 March 1992 and 1993/50 of 9 March 1993, both entitled "Strengthening of the rule of law",

Noting with appreciation that the Vienna Declaration and Programme of Action, 2/ adopted by the World Conference on Human Rights on 25 June 1993, recommended that priority be given to national and international action to promote democracy, development and human rights,

1. Endorses the recommendation of the World Conference on Human Rights that a comprehensive programme be established within the United Nations and under the coordination of the Centre for Human Rights, with a view to helping States in the task of building and strengthening adequate national structures which have a direct impact on the overall observance of human rights and the maintenance of the rule of law; 3/

2. Expresses its conviction that such a programme should be able to provide, upon the request of the interested Government, technical and financial assistance for the implementation of national plans of action as well as specific projects in reforming penal and correctional establishments, education and training of lawyers, judges and security forces in human rights, and any other sphere of activity relevant to the good functioning of the rule of law;

3. Requests the Secretary-General, in accordance with the recommendation contained in paragraph 70 of the Vienna Declaration and Programme of Action, 2/ to submit concrete proposals to the General Assembly at its forty-ninth session containing alternatives for the establishment, structure, operational modalities and funding of the proposed programme, taking into account existing programmes and activities already undertaken by the Centre for Human Rights;

4. Requests the Commission on Human Rights to remain actively seized of this question, with a view to further elaborating the outline of the proposed programme;

5. Decides to continue its consideration of this question at its forty-ninth session in the light of the proposals of the Secretary-General.

2/ A/CONF.157/24 (Part I), chap. III.

3/ Ibid., part II, para. 69.



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29 November 1993

ORIGINAL: ENGLISH

Forty-eighth session
THIRD COMMITTEE
Agenda item 114 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Argentina, Australia, Austria, Belgium, Bulgaria,
Canada, Costa Rica, Czech Republic, Denmark, Finland,
France, Germany, Greece, Hungary, Iceland, Ireland,
Italy, Kuwait, Liechtenstein, Luxembourg, Netherlands,
Norway, Portugal, Spain, Sweden, United Kingdom of
Great Britain and Northern Ireland and United States
of America: draft resolution

Situation of human rights in Iraq

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenant on Human Rights, 2/

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that Iraq is a party to the International Covenants on Human Rights,

Recalling its resolution 47/145 of 18 December 1992, in which the Assembly expressed its deep concern at flagrant violations of human rights by the Government of Iraq,

Recalling also Security Council resolution 688 (1991) of 5 April 1991, in which the Council demanded an end to the repression of the Iraqi civilian

1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

population and insisted that Iraq cooperate with humanitarian organizations and ensure that the human and political rights of all Iraqi citizens are respected,

Recalling in particular Commission on Human Rights resolution 1991/74 of 6 March 1991, by which the Commission requested its Chairman to appoint a special rapporteur to make a thorough study of the violations of human rights by the Government of Iraq, based on all information the Special Rapporteur may deem relevant, including information provided by intergovernmental and non-governmental organizations and any comments and material provided by the Government of Iraq,

Recalling the pertinent resolutions of the Commission on Human Rights condemning the flagrant violations of human rights by the Government of Iraq, including its most recent resolution, 1993/74 of 10 March 1993, by which the Commission extended the mandate of the Special Rapporteur for a further year and asked him to submit an interim report to the General Assembly at its forty-eighth session and a final report to the Commission on Human Rights at its fiftieth session,

Recalling also Security Council resolutions 687 (1991) of 3 April 1991, 706 (1991) of 15 August 1991, 712 (1991) of 19 September 1991 and 778 (1992) of 2 October 1992,

Deeply concerned by the massive and grave violations of human rights by the Government of Iraq, such as summary and arbitrary executions, torture and other cruel, inhuman or degrading treatment, enforced or involuntary disappearances, arbitrary arrests and detention, lack of due process and the rule of law of freedom of thought, of expression, of association and of access to food and health care,

Deeply concerned also at the fact that chemical weapons have been used on the Iraqi civilian population, by the forced displacement of hundreds of thousands of Iraqi civilians and by the destruction of Iraqi towns and villages, as well as by the fact that tens of thousands of displaced Kurds had to take refuge in camps and shelters in the north of Iraq,

Deeply concerned further at the increasingly severe and grave violations of human rights by the Government of Iraq against the civilian population in southern Iraq, in particular in the southern marshes, many of whom have sought refuge on the border between Iraq and the Islamic Republic of Iran,

Expressing concern in particular at the fact that there are no signs of improvement in the general situation of human rights in Iraq, and, therefore, welcoming the decision to deploy a team of human rights monitors to such locations as would facilitate improved information flows and assessment and would help in the independent verification of reports on the situation of human rights in Iraq,

Regretting that the Government of Iraq has not seen fit to respond to requests for a visit of the Special Rapporteur on the situation of human rights in Iraq and noting that, despite the formal cooperation extended to the Special Rapporteur by the Government of Iraq, such cooperation needs to be substantially improved, in particular by giving full replies to the inquiries of the Special

Rapporteur about acts being committed by the Government of Iraq that are incompatible with the international human rights instruments that are binding on that country,

1. Takes note with appreciation of the interim report on the situation of human rights in Iraq 3/ submitted by the Special Rapporteur of the Commission on Human Rights and the observations, conclusions and recommendations contained therein;

2. Expresses its strong condemnation of the massive violations of human rights of the gravest nature, for which the Government of Iraq is responsible and to which the Special Rapporteur has referred in his recent reports, in particular:

(a) Summary and arbitrary executions, orchestrated mass executions and burials, extrajudicial killings, including political killings, in particular in the northern region of Iraq, in southern Shiah centres and in the southern marshes;

(b) The widespread routine practice of systematic torture in its most cruel forms;

(c) Enforced or involuntary disappearances, routinely practised arbitrary arrest and detention, including of women, the elderly and children, and consistent and routine failure to respect due process and the rule of law;

(d) Suppression of freedom of thought, expression and association and violations of property rights;

(e) The unwillingness of the Government of Iraq to honour its responsibilities in respect of the economic rights of the population;

3. Deplores Iraq's refusal to cooperate in the implementation of Security Council resolutions 706 (1991) and 712 (1991) and its failure to provide the Iraqi population with access to adequate food and health care;

4. Calls upon the Government of Iraq to release immediately all persons arbitrarily arrested and detained, including Kuwaitis and nationals of other States;

5. Calls once again upon Iraq, as a State party to the International Covenant on Economic, Social and Cultural Rights, as well as to the International Covenant on Civil and Political Rights, to abide by its obligations freely undertaken under the Covenants and under other international instruments on human rights and particularly to respect and ensure the rights of all individuals irrespective of their origin within its territory and subject to its jurisdiction;

6. Recognizes the importance of the work of the United Nations in providing humanitarian relief to the people of Iraq, and calls upon Iraq to allow unhindered access of the United Nations humanitarian agencies throughout the country, including ensuring the safety of United Nations personnel and humanitarian workers, inter alia through the continued implementation of the Memorandum of Understanding signed between the United Nations and the Government of Iraq;
7. Expresses special alarm at the repressive practices directed against the Kurds, which continue to have an impact on the lives of the Iraqi people as a whole;
8. Also expresses special alarm at the resurgence of grave violations of human rights in southern Iraq, which is the result of a preconceived policy against the marsh Arabs in particular, many of whom have sought refuge outside the country;
9. Welcomes the sending of human rights monitors to the border between Iraq and the Islamic Republic of Iran, and calls upon the Government of Iraq to allow immediate and unconditional stationing of human rights monitors throughout the country, especially the southern marsh area;
10. Further expresses its special alarm at all internal embargoes, which permit essentially no exceptions for humanitarian needs and which prevent the equitable enjoyment of basic foodstuffs and medical supplies, and calls upon the Government of Iraq, which has sole responsibility in this regard, to remove them and to take steps to cooperate with international humanitarian agencies in the provision of relief to those in need throughout Iraq;
11. Urges once more the Government of Iraq to set up an independent commission of inquiry to look into the fate of tens of thousands of persons who have disappeared;
12. Regrets the failure of the Government of Iraq to provide satisfactory replies concerning the violations of human rights brought to the attention of the Special Rapporteur, and calls upon the Government fully to cooperate and to reply without delay in a comprehensive and detailed manner so as to enable the Special Rapporteur to formulate the appropriate recommendations to improve the situation of human rights in Iraq;
13. Requests the Secretary-General to provide the Special Rapporteur with all necessary assistance in carrying out his mandate;
14. Decides to continue its consideration of the situation of human rights in Iraq during its forty-ninth session under the item entitled "Human rights question" in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.
